

Exhibit 4

3405-5

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 Case No. 19-MD-02913-WHO

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5 IN RE: JUUL LABS, INC., MARKETING,)
6 SALES PRACTICES, and PRODUCTS)
7 LIABILITY LITIGATION)
8 _____)

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13 DEPOSITION OF CHARLENE LEE
14 TAKEN REMOTELY BY VIDEOCONFERENCE
15 August 31, 2021

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24 Reported by: Mary Ann Payonk, CSR
25 Job No. 197534

1 determine by looking at the accounting system?

2 A. Yes.

3 Q. In addition to anti-smoking,
4 anti-vaping, and Towards No Drugs, are you
5 aware of any other expenditures, any other
6 things that the \$680,000 that SFUSD receives
7 from TUPE grants was spent on?

8 MR. BRANE: Objection, form.

9 A. No.

10 Q. Has the SFUSD had to divert any funds
11 to anti-vaping education that otherwise were
12 spent on other educational programs?

13 MR. BRANE: Objection, form.

14 A. Not that I know of.

15 Q. Have you been a part of any
16 discussions about the adequacy or inadequacy of
17 resources available to fund anti-vaping
18 programs?

19 A. No.

20 Q. How regularly do you talk with
21 Ms. Pak?

22 A. At least once a week.

23 Q. And is it generally in connection
24 with budgeting issues?

25 A. Yes.

1 understand -- let me strike that.

2 When you allocate funds in the
3 budget, the funds are there. Correct?

4 A. Correct.

5 Q. And they can be spent on that line
6 item?

7 A. Yes.

8 Q. But as I understand your testimony,
9 sometimes those funds go unspent because there
10 are other considerations to fulfilling the line
11 item. For example, here, they just couldn't
12 find a qualified person to fill the role. Is
13 that correct?

14 A. Correct.

15 Q. Would you say that it's fairly common
16 in your experience within the TUPE program that
17 the funds are there, that there's another
18 external reason why the line item cannot be
19 completely fulfilled, why all of the money
20 can't be spent?

21 A. Yes.

22 Q. Okay, we can now mark -- actually,
23 can you take this document down?

24 Ms. Lee, do you have any role in the
25 creation or approval of anti-vaping materials?

1 MS. KRISTOVICH: Okay.

2 MR. OMOROGIEVA: Good afternoon,
3 Ms. Lee. My name is William Omorogieva.
4 How are you doing?

5 THE WITNESS: Good. How are you?

6 MR. OMOROGIEVA: I'm doing well. I
7 have a few questions for you. Are you
8 ready to go?

9 THE WITNESS: Yes.

10 EXAMINATION

11 BY MR. OMOROGIEVA:

12 Q. All right. Are you aware of the
13 relief SFUSD is seeking against Altria in this
14 lawsuit?

15 A. No.

16 Q. Do you know Altria?

17 A. No.

18 Q. Are you aware of SFUSD's allegations
19 against Altria in this lawsuit?

20 A. No.

21 Q. Are you aware of who Philip Morris
22 is?

23 A. I've heard of the name, but I don't
24 know who he is.

25 Q. Do you know if it's illegal for

1 people under the age of 21 to purchase tobacco
2 products in California?

3 A. Yes.

4 Q. Have you ever received communications
5 from Altria?

6 A. No.

7 Q. Do you know if any of your work
8 colleagues in your department received --
9 strike that.

10 Do you know whether any of your work
11 colleagues that you work with in your
12 department have received emails or
13 communications from Altria?

14 A. I don't know.

15 Q. Are you aware of SFUSD students
16 receiving emails from Altria about Juul
17 products?

18 A. I don't know.

19 Q. Are you aware of SFUSD students
20 signing up for Altria email lists?

21 A. Not aware.

22 Q. Are you aware of SFUSD students
23 signing up for Philip Morris email lists?

24 A. Not aware.

25 Q. Are you aware of SFUSD students

1 receiving mailings from Altria about Juul
2 products?

3 A. No.

4 Q. Have you ever received mail from
5 Altria?

6 A. No.

7 Q. Are you aware of SFUSD students
8 visiting Altria's website?

9 A. Not aware.

10 Q. Are you aware of SFUSD students
11 visiting the Philip Morris website?

12 A. Not aware.

13 Q. Are you aware of SFUSD students
14 seeing Juul advertisements or marketing of
15 cigarette packages?

16 A. Not aware.

17 Q. Are you aware of SFUSD students
18 purchasing Juul products from a store that
19 received services from Altria?

20 A. Not aware.

21 Q. Have you ever communicated with any
22 employee or agent of Altria?

23 A. No.

24 Q. Are you aware of anyone in the SFUSD
25 receiving communications directly from Philip

1 Morris?

2 A. Not aware.

3 Q. Are you aware of Altria providing any
4 services to retail stores in the SFUSD
5 district?

6 A. Not aware.

7 MR. OMOROGIEVA: That's all I have
8 for you. Thank you.

9 THE WITNESS: Thank you.

10 MR. BRANE: Nothing from us. I
11 think we're all done.

12 MS. KRISTOVICH: Thank you very
13 much, Ms. Lee. Nice to meet you.

14 THE WITNESS: Thank you. You too.

15 MR. OMOROGIEVA: Thanks, Ms. Lee.

16 THE WITNESS: Thank you.

17 THE VIDEOGRAPHER: Thank you,
18 everybody. This concludes the
19 deposition of Charlene Lee. The number
20 of media units used was one containing
21 five video clips. We're going off the
22 record. The time is 12:50.

23 (Deposition adjourned at 12:50 p.m.)

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